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Attorneys for Plaintiff

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

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HDI GLOBAL INSURANCE CO.,	:
	:
Plaintiff,	:
	:
- Against -	:
	:
EIMSKIPAFELAG ISLANDS HF.	:
and GOLDEN OCEAN LINE LTD.	:
	:
Defendants.	:
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1:21-cv-03954-VSB

**COMPLAINT**

Plaintiff, HDI Global Insurance Co., by and through its attorneys Hill Rivkins LLP, as and for its complaint against the above-named defendants alleges upon information and belief as follows:

**PARTIES**

1. At and during all times hereinafter mentioned, HDI Global Insurance Co., was and now is a corporation organized and existing under Illinois law with an office and principal place of business at 161 N. Clark Street, 48<sup>th</sup> Floor, Chicago. Illinois 60601. Pursuant to a policy of marine insurance, HDI Global paid its insured, Helga Corporation, Inc., for loss of and/or damage to the subject shipment and has become subrogated to the rights of its Insured, whatever those rights may be.

2. At and during all times hereinafter mentioned, defendant Eimskipafelag Islands HF (“Eimskip”) was and now is a corporation organized and existing under foreign law with an office

and principal place of business at Eimskip Island, Korngordur 2, 104 Reykjavik, Iceland and was and now is engaged in business as common carriers of goods for hire.

3. At and during all times hereinafter mentioned, defendant Golden Ocean Line Ltd. (“GOL”), was and now is a corporation or other business entity organized and existing by virtue of foreign law with an office and principal place of business at room 1003, 10/F Boss Commercial Centre, 28 Ferry Street, Kowloon, Hong Kong PRC and was and now is engaged in the business as common carrier of goods for hire in interstate commerce.

### **JURISDICTION**

4. This Honorable Court has subject matter jurisdiction pursuant to 28 U.S.C. §1333 and this is a maritime claim within the meaning of Rule 9(h) of the Federal Rules of Civil Procedure.

### **THE MARITIME CLAIM**

5. In or about January 2020, there was delivered to Defendants a shipment of equipment in good order and condition and suitable in every respect for the intended transportation which Defendants received, accepted and agreed to transport for certain consideration pursuant to Eimskip bills of lading EIMU22446041 and EIMU2247105 and GOL bill of lading DEBRE 492820300133.

6. Defendants failed to re-deliver the subject shipment in the same good order and condition as when they were received.

7. By reasons of the premises, Defendants breached and violated its duties and obligations as common carriers and bailees of the cargo, were negligent and careless in their handling of the subject shipment and were otherwise at fault.

8. Plaintiff was the shipper, owner, consignee and/or insurer of the subject shipment and brings this action on its own behalf and on behalf of all parties who are or may become interested in the subject shipment, as their respective interests may ultimately appears, and Plaintiff is entitled to maintain this action.

9. Plaintiff has performed all duties and obligations on its part to be performed.

10. By reason of the premises, Plaintiff has sustained damages as nearly as same can now be estimated, no part of which has been paid, although duly demanded, in the total amount of \$147,160.63, plus interest, costs and attorneys' fees.

**WHEREFORE**, Plaintiffs pray:

1. That process in due form of law according to the practice of this Court may issue against the Defendants.

2. That if the Defendants cannot be found within this District, that all of their property within this District be attached in the sum set forth in this Complaint, with interest and costs.

3. That a decree be entered against the Defendants in the amount of \$147,160.63, plus interests and costs.

4. Plaintiff further prays for such other, further and different relief as to this Court may deem just and proper in the premises.

Dated: New York, New York  
May 4, 2021

HILL RIVKINS LLP  
Attorneys for Plaintiff

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